

AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A measuring apparatus ~~for use with~~ using a biosensor ~~having, which~~ has a reaction layer which reacts with a substance to be measured in a sample solution, on a working electrode, a counter electrode, and a third electrode which are provided on an insulating substrate, so as to bridge the respective electrodes, ~~wherein said measuring apparatus comprising:~~

~~the content~~ a measuring unit operable to measure contents of the substance to be measured ~~is measured~~ from a current value which is produced by a reaction between the substance to be measured and the reaction layer, which reaction is obtained between the working electrode and the counter electrode, and to judge the types type of the sample solution are judged on the basis of an oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode.

2. (Currently Amended) The measuring apparatus using the biosensor of Claim 1, wherein said measuring unit is operable to judge judgment between the types type of the sample solution based on the oxidation current value is made by comparing an oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode to a predetermined ~~fixed~~ threshold value.

3. (Currently Amended) The measuring apparatus using the biosensor of Claim 1, wherein said measuring unit is operable to judge judgment between the type types of the sample solution based on the oxidation current value is made on the basis of the time variations of the oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode.

4. (Currently Amended) The measuring apparatus ~~using the biosensor~~ of Claim 1, wherein said measuring unit is operable to utilize the oxidation current value used for the judgment is the one a current value which is measured at the point of time when a ~~fixed~~ time has further elapsed after the current value ~~reaches~~ a predetermined current value, which current flows between

the third electrode and the counter electrode or between the third electrode and the working electrode, as the oxidation current value which is used in performing the judgment of the type of the sample solution.

5-11. (Canceled)

12. (New) A measuring method using a biosensor having a reaction layer which reacts with a substance to be measured in a sample solution, on a working electrode, a counter electrode, and a third electrode which are provided on an insulating substrate, so as to bridge the respective electrodes, said method comprising:

measuring contents of the substance to be measured from a current value which is produced by a reaction between the substance to be measured and the reaction layer, which reaction is obtained between the working electrode and the counter electrode, and

judging the type of the sample solution on the basis of an oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode.

13. (New) The measuring method of Claim 12, wherein said judging comprises comparing an oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode, to a predetermined threshold value.

14. (New) The measuring method of Claim 12, wherein said judging comprises judging on the basis of time variations of the oxidation current value obtained between the third electrode and the counter electrode or between the third electrode and the working electrode.

15. (New) The measuring method of Claim 12, wherein the oxidation current value of said judging comprises a current value which is measured at the point of time when a prescribed time has further elapsed after the current value reached a predetermined current value, which current flows

between the third electrode and the current electrode or between the third electrode and the working electrode.

16. (New) The measuring method of Claim 12, wherein the third electrode comprises materials which are more easily oxidized as compared with the materials of the working electrode and the counter electrode.

17. (New) The measuring method of Claim 12, wherein the third electrode comprises materials which have lower dissolution potentials than a voltage applied to the biosensor.

18. (New) The measuring method of Claim 12, wherein the third electrode comprises a material which is selected from the group consisting of silver, copper, zinc, and a mixed material including at least one of silver, copper, and zinc.